

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 1

Complete if Known

Application Number	10/776889
Filing Date	February 11, 2004
First Named Inventor	ANTHONY J. KINNEY
Group Art Unit	1634
Examiner Name	
Attorney Docket Number	BB1531USNA

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)				
<i>112</i>	1	US - 5,589,583		12-31-1996	HARRY J. KLEE ET AL.	
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FOREIGN PATENT DOCUMENTS

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Examiner
Signature*Vincent*Date
Considered*11/8/2005*

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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







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Signature**

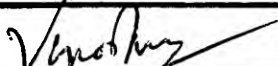
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		Filing Date	February 11, 2004
		First Named Inventor	ANTHONY J. KINNEY ET. AL.
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Sheet 1 of 3	Attorney Docket Number	BB1531USNA	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	JOAQUIN ESPARTERO ET AL., Differential accumulation of S-adenosylmethionine synthetase transcripts in response to salt stress, Plant Mol. Biol., Vol. 25:217-227, 1994	<input type="checkbox"/>
	2	MAKOTO MATSUOKA ET AL., Tissue-specific light-regulated expression directed by the promoter of a C4 gene, maize pyruvate, orthophosphate dikinase, in a C3 plant, rice, PNAS, Vol. 90:9586-9590, 10/1993	<input type="checkbox"/>
	3	PABLO D. CERDAN ET AL., A 146 bp fragment of the tobacco Lhcb1*2 promoter confers very-low-fluence, low-fluence and high-irradiance responses of phytochrome to a minimal CaMV 35S promoter, Plant Mol. Biol., Vol. 33:245-255, 1997	<input type="checkbox"/>
	4	ROSSITZA ATANASSOVA ET AL., Functional analysis of the promoter region of a maize (Zea mays L.) H3 histone gene in transgenic Arabidopsis thaliana, Plant Mol. Biol., Vol. 37:275-285, 1998	<input type="checkbox"/>
	5	MATS ELLERSTROM ET AL., Functional dissection of a napin gene promoter: identification of promoter elements required for embryo and endosperm-specific transcription, Plant Mol. Biol., Vol. 32:1019-1027, 1996	<input type="checkbox"/>
	6	AINE L. PLANT ET AL., Regulation of an Arabidopsis oleosin gene promoter in transgenic Brassica napus, Plant Mol. Biol., Vol. 25:193-205, 1994	<input type="checkbox"/>
	7	JAMES S. KEDDIE ET AL., A seed-specific Brassica napus oleosin promoter interacts with a G-box-specific protein and may be bi-directional, Plant Mol. Biol., Vol. 24:327-340, 1994	<input type="checkbox"/>
	8	ZHANG-LIANG CHEN ET AL., Regulated Expression of Genes Encoding Soybean beta-Conglycinins in Transgenic Plants, Developmental Genetics, Vol. 10:112-122, 1989	<input type="checkbox"/>
	9	JANICE W. EDWARDS ET AL., Cell-specific expression in transgenic plants reveals nonoverlapping roles for chloroplast and cytosolic glutamine synthetase, PNAS, Vol. 87:3459-3463, 05/1990	<input type="checkbox"/>
	10	THOMAS LUBBERSTEDT ET AL., Promoters from Genes for Plastid Proteins Possess Regions with Different Sensitivities toward Red and Blue Light, Plant Phys., Vol. 104:997-1006, 1994	<input type="checkbox"/>
	11	SHENG LUAN ET AL., A Rice cab Gene Promoter Contains Separate cis-Acting Elements That Regulate Expression in Dicot and Monocot Plants, The Plant Cell, Vol. 4:971-981, 08/1992	<input type="checkbox"/>

Examiner Signature		Date Considered	11/8/2005
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/776889</td> </tr> <tr> <td>Filing Date</td> <td>February 11, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>ANTHONY J. KINNEY ET. AL.</td> </tr> <tr> <td>Group Art Unit</td> <td>1634</td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Attorney Docket Number</td> <td>BB1531USNA</td> </tr> </table>		Application Number	10/776889	Filing Date	February 11, 2004	First Named Inventor	ANTHONY J. KINNEY ET. AL.	Group Art Unit	1634	Examiner Name		Attorney Docket Number	BB1531USNA
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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
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✓	12	PAUL R. EBERT ET AL., Identification of an essential upstream element in the nopaline synthase promoter by stable and transient assays, PNAS, Vol. 84:5745-5749, 08/1987	<input type="checkbox"/>
✓	13	JOHN C. WALKER ET AL., DNA sequences required for anaerobic expression of the maize alcohol dehydrogenase 1 gene, PNAS, Vol. 84:6624-6628, 10/1987	<input type="checkbox"/>
✓	14	VADIM L. METT ET AL., A system for tissue-specific copper-controllable gene expression in transgenic plants: nodule-specific antisense of aspartate aminotransferase-P2, Transgenic Research, Vol. 5:105-113, 1996	<input type="checkbox"/>
✓	15	RICHARD A. JEFFERSON ET AL., GUS fusions: beta-glucuronidase as a sensitive and versatile gene fusion marker in higher plants, The EMBO J., Vol. 6(13):3901-3907, 1987	<input type="checkbox"/>
✓	16	FRITZ SCHOFFL ET AL., The function of plant heat shock promoter elements in the regulated expression of chimaeric genes in transgenic tobacco, Mol. Gen. Genet., Vol. 217:246-253, 1989	<input type="checkbox"/>
✓	17	ELISABETH TRUERNIT ET AL., The promoter of the Arabidopsis thaliana SUC2 sucrose-H ⁺ symporter gene directs expression of beta-glucuronidase to the phloem: Evidence for phloem loading and unloading by SUC2, Planta, Vol. 196:564-570, 1995	<input type="checkbox"/>
✓	18	SONKE HOLTORF ET AL., Comparison of different constitutive and inducible promoters for the overexpression of transgenes in Arabidopsis thaliana, Plant Mol. Biol., Vol. 29:637-646, 1995	<input type="checkbox"/>
✓	19	MICHAEL J. BATTRAU ET AL., Histochemical analysis of CaMV 35S promoter-beta-glucuronidase gene expression in transgenic rice plants, Plant Mol. Biol., Vol. 15:527-538, 1990	<input type="checkbox"/>
✓	20	MICHAEL A. LAWTON ET AL., Expression of a soybean beta-conglycinin gene under the control of the Cauliflower Mosaic Virus 35S and 19S promoters in transformed petunia tissues, Plant Mol. Biol., Vol. 9:315-324, 1987	<input type="checkbox"/>
✓	21	A. WILMINK ET AL., Activity of constitutive promoters in various species from the Liliaceae, Plant Mol. Biol., Vol. 28:949-955, 1995	<input type="checkbox"/>
✓	22	JOAN T. ODELL ET AL., Identification of DNA sequences required for activity of the cauliflower mosaic virus 35S promoter, Nature, Vol. 313:810-812, 1985	<input type="checkbox"/>

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





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	23	MUKUL MATHUR ET AL., Phytohormonal regulation of S-adenosylmethionine synthetase by gibberellic acid in wheat aleurones, Biochimica et Biophysica Acta., Vol. 1137:338-348, 1992	<input type="checkbox"/>
	24	THOMAS KAISER ET AL., Promoter elements of the mustard CHS1 gene are sufficient for light regulation in transgenic plants, Plant Mol. Biol., Vol. 28:219-229, 1995	<input type="checkbox"/>
	25	LOURDES GOMEZ-GOMEZ ET AL., Differential Expression of the S-Adenosyl-L-Methionine Synthase Genes during Pea Development, Plant Phys., Vol. 117:397-405, 1998	<input type="checkbox"/>
	26	JOHN M. MCDOWELL ET AL., The Arabidopsis ACT7 Actin Gene Is Expressed in Rapidly Developing Tissues and Responds to Several External Stimuli, Plant Phys., Vol. 111:699-711, 1996	<input type="checkbox"/>
	27	TIM ULMASOV ET AL., The Soybean GH2/4 Gene That Encodes a Glutathione S-Transferase Has a Promoter That Is Activated by a Wide Range of Chemical Agents, Plant Phys., Vol. 108:919-927, 1995	<input type="checkbox"/>
	28	N.-S. YANG ET AL., Maize sucrose synthase-1 promoter directs phloem cell-specific expression of Gus gene in transgenic tobacco plants, PNAS, Vol. 87:4144-4148, 06/1990	<input type="checkbox"/>
	29	VICKI L. CHANDLER ET AL., Two Regulatory Genes of the Maize Anthocyanin Pathway Are Homologous: Isolation of B Utilizing R Genomic Sequences, Plant Cell, Vol. 1:1175-1183, 12/1989	<input type="checkbox"/>
	30	JULIE C. LLOYD ET AL., The chloroplast FBpase gene of wheat: structure and expression of the promoter in photosynthetic and meristematic cells of transgenic tobacco plants, Mol. Gen. Genet., Vol. 225:209-216, 1991	<input type="checkbox"/>
	31	JORG STOCKHAUS ET AL., Correlation of the expression of the nuclear photosynthetic gene ST-LS1 with the presence of chloroplasts, EMBO J., Vol. 8(9):2445-2451, 1989	<input type="checkbox"/>
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